

REMARKS

The above amendments and following remarks are submitted under in response to the Official Action (i.e., Paper No. 2) of the Examiner mailed September 10, 2003. Having addressed all objections and grounds of rejection, claims 1-20, being all the pending claims, are now deemed in condition for allowance. Entry of this amendment and reconsideration to that end is respectfully requested.

In paragraphs 2 and 4-5 of Paper No. 2, the Examiner presents various objections to the drawings as filed. Enclosed herewith is an amended set of formal drawings. Specifically, the drawings have been amended as required by the Chief Draftsperson. In accordance with paragraph 4, reference numerals "208" and "331" have been added to Figs. 7 and 10, respectively. As per paragraph 5, reference numerals "56" in Fig. 3; "101", "142" and "174" in Fig. 6; "208" in Fig. 8; "246", "252", "266", "268", and "274" in Fig. 9; and "114" in Fig. 5 have been deleted.

The Examiner has also objected to the specification. In response thereto, pages 1-3 have been amended above and the text of missing page 30 has been supplied.

The Examiner has rejected claims 1-5, 7-10, 12-15, and 17-20 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claims the subject matter which applicant regards as the invention. In response to the rejections discussed at paragraphs 10-11 of paper 2, claims 4, 10, 14, and 17 have been above amended. The remainder of these rejections discussed at paragraphs 8-9 of paper 2, are respectfully traversed for the reasons discussed below.

The rejections discussed at paragraph 8 are not easily understood. It certainly appears that the rejection is contrary to controlling law in alleging with regard to method claims 12-15 "that neither means nor interrelationship of means are set forth in these claims in order to achieve the desired results expressed in the "wherein...." phrases". There is no authority cited by the Examiner which would require this as to method claims.

Similarly, with regard to apparatus claims 2-5, 7-9, and 17-20 "that neither method steps nor interrelationship of method steps are set forth in these claims in order to achieve the desired results expressed in the "wherein...." phrases". This rejection does not make sense.

Claims 1-5, rejected in paragraph 9, are Jepson type claims. They are expressly provided for by 37 C.F.R. 1.75(e). The

Examiner may wish to consult MPEP 608.01(m) which defines how these claims are to be examined. It provides:

608.01(m) Form of Claims

The form of claim required in 37 CFR 1.75(e) is particularly adapted for the description of improvement-type inventions. It is to be considered a combination claim. The preamble of this form of claim is considered to positively and clearly include all the elements or steps recited therein as a part of the claimed combination.

The rejection of claims 1-5 is respectfully traversed, because the form is expressly provided by controlling law.

Claims 1-4, 6-8, 11-14, and 16-18 have been rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,341,352, issued to Child et al (hereinafter referred to as "Child"). This ground of rejection, as to the claims herein amended, is respectfully traversed. MPEP 2131 provides in part:

TO ANTICIPATE A CLAIM, THE REFERENCE MUST TEACH EVERY ELEMENT OF THE CLAIM

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference."

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

"The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

Child does not contain each and every element as set forth in claims 1-4, 6-8, 11-14, and 16-18, as amended.

Specifically, as to claims 1 and 6, the Examiner states:

....said data base management system which assigns a new password to said user terminal (see abstract, fig. 4-5; col. 3, lines 2-26 and col. 6, lines 8-55 wherein by receiving the expired password a new password is issued to the user). (emphasis added)

This statement is clearly erroneous and is expressly contradicted by the Examiner's citations. Instead of the data base management system assigning a new password, Child requires the user to select a new password. For example, the Abstract states: "Upon definition of the new password by the user.....". Similarly, column 2, lines 29-30 states:

An object of this invention is to enable a Web browser user to automatically change a password....

Child only discloses that a user can change a password. It never suggests that a data base management system can change a password as is required by the claimed invention. Therefore, the rejections of claims 1 and 6, and all claims depending therefrom, are respectfully traversed.

In rejecting claims 2 and 7, the Examiner makes the clearly erroneous finding:

....wherein a dialog box is presented to the user to queries (sic) the definition of new password by the user).

Yet, Fig. 5 provides for entry of only a "new password". There is no opportunity for entry of "parameters". Though Child provides for (even requires) the entry of a new password by the user, it does not provide for entry of any parameters. The

rejections of claims 2 and 7, and claims depending therefrom, are respectfully traversed.

In rejecting claims 3 and 8, the Examiner states:

....wherein said reassignment facility automatically assigns said new password in response to receipt of said expired password (see col. 3, lines 23-25).

This statement is clearly erroneous. As the Examiner is well aware, Child requires the user to determine the new password. There is no "reassignment facility" which can "automatically assign said new password". The rejections of claims 3 and 8, and claims depending therefrom, are respectfully traversed.

In rejecting claims 4, 10, 14, and 17, the Examiner misquotes both the Child reference and the claim limitations in finding:

As per claims 4, 10, 14 and 17 Child et al (6,341,352) teach a data processing environment and an apparatus according to claims 3, 9, 13 and 15 wherein said reassignment facility further comprises the internet (see col. 4, lines 20-25). (emphasis added)

This finding is also irrelevant, because it does not address the claim limitations. The rejection of claims 4, 10, 14, and 17 are respectfully traversed.

In rejecting claims 11 and 16, the Examiner finds:

....creating an empty data set by said data base management system in response to receipt of said service request (see fig. 4, item (sic) 80 and 82).

The citation by the Examiner (i.e., items 80 and 82) have nothing to do with the claim limitation of "creating an empty data set". The rejections of claims 11 and 16, and claims depending therefrom, are respectfully traversed.

In rejecting claim 12, the Examiner disingenuously finds:

....wherein said creating step further comprises defining said empty data set in response to parameters associated with said service request (see fig. 4, item 82 and fig. 5 wherein based on user request for changing password a dialog has been created that has parameters field associated with the request that requires user's input).

This statement appears incomprehensible. However, it is certain that it has nothing to do with the claim limitations. The rejection of claim 12 is respectfully traversed.

As if to further confuse the situation, the Examiner rejects claim 13 stating:

As per claims 13 Child et al (6,341,352) (sic) a method according to claim 12 wherein said creating step further comprise (sic) creating said empty data set within a repository of said data base management system (ss fig.5 and col. 7, lines 23-64).

Even if this statement were sufficiently modified to render it understandable, it would be clearly irrelevant. Child has no "creating step", no "empty data set", and no "repository". The rejection of claim 13 is respectfully traversed.

Similarly, in rejecting claim 18, the Examiner misquotes Child and the claim language stating:

As per claim 18 Child et al (6,341,352) (sic) an apparatus according to claim 17 wherein said permitting means for generating and transmitting a service request (sic) requesting said data base management system to execute said creating step (see col. 6, lines 62-67).

This finding is clearly erroneous as to Child (as explained above, Child has no creating step). It is also irrelevant because the finding does not relate to the claimed limitations. The rejection of claim 18 is respectfully traversed.

Claims 5, 9-10, and 19-20 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Child in view of U.S. Patent No. 6,292,904B1), issued to Broomhall et al (hereinafter referred to as "Brooomhall"). This ground of rejection is respectfully traversed for failure of the Examiner to present a *prima facie* case of obviousness as specified by MPEP 2143.

Instead of showing the required motivation, the Examiner incomprehensibly states:

It would have been obvious to one of ordinary skilled (sic) in the art to utilize Broomhall's data base management Mapper (sic) in Child's password security policy system in order to map (sic) user's input parameters with issued password to authenticate or issue a new password to the user.

Thus, the controlling law (i.e., MPEP 2143) requires the Examiner to show motivation. Instead he makes a thoroughly irrelevant and incomprehensible statement.

The Examiner does not even attempt to show "reasonable likelihood of success" as required by MPEP 2143. The alleged

combination does not contain all of the claim elements as required by MPEP 2143. Therefore, the rejections of claims 5, 9-10, 15, and 19-20 are respectfully traversed.

Having thus responded to each objection and ground of rejection, Applicants respectfully request entry of this amendment and allowance of claims 1-20, being the only pending claims.

Respectfully submitted,
Paul S. Germscheid et al
By their attorney,

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John L. Rooney
Reg. No. 28,898
Suite 401
Broadway Place East
3433 Broadway Street N.E.
Minneapolis, Minnesota
55413
(612) 331-1464